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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/980,158	05/23/2002	Craig Abruzzo	6208-007US	8191

7590 01/17/2007
Joseph Levi
Clifford Chance Rogers & Wells
200 Park Avenue
New York, NY 10166

EXAMINER

STORK, KYLER

ART UNIT	PAPER NUMBER
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2178

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/17/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.



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EXAMINER

STORK, KYLE R

ART UNIT

PAPER NUMBER

2178

DATE MAILED: 03/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/980,158	ABRUZZO ET AL.	
	Examiner	Art Unit	
	Kyle R. Stork	2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 January 2006.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This final office action is in response to the remarks submitted 3 January 2006.
2. Claims 1-21 are pending. Claims 1 and 13 are independent claims.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 3-20 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Porter (US 6473892, filed 31 December 1998), in view of Ferrel et al. (US 5860073, filed 17 July 1995, hereafter Ferrel), and in further view of Smith et al. (US 6052693, filed 2 July 1996, hereafter Smith), and in further view of Tozzoli et al. (US 6151588, filed 9 February 1998, hereafter Tozzoli).

In regard to independent claim 1, Porter discloses an object-oriented system for assembling a document (Porter Abstract), the system comprising; a plurality of terms (Porter Col 5 Lines 21-25 i.e. words); a plurality of objects (Porter Col 7 Lines 19-27), and at least one of said plurality of objects including at least one of said plurality of terms (Porter Col 5 Lines 21-25 i.e. words); at least one of said conditions including at least one of said plurality of terms or a value of an object tag; and wherein the instruction comprises an action to be taken to assemble the document; and; wherein, when the condition of one of said plurality of grammar lines is true, then said instruction

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associated with said condition is executed thereby assembling at least a portion of said document by insertion of the object body. (Porter Col 5 Lines 21-25 i.e. words) (Porter Abstract)

Porter does not mention each of said plurality of objects including an object tag and an object body. However, Ferrel mentions the story objects themselves having formatting tags (Ferrel Col 19 Lines 44-51). It would have been obvious to one of ordinary skill in the art to apply Ferrel to Porter, providing Porter the benefit of including object tags to identify a portion of the content and displaying the content as taught by Ferrel Col 3 Lines 32-38.

Porter does not mention a plurality of grammar lines, each of said plurality of grammar lines including a condition and an instruction and all instructions needed for creating the document are contained in the grammar lines; when the condition of one of said plurality of grammar lines is true. However, Smith mentions a set of grammar rules and word lists (Smith Col 16 Lines 33-37). Smith also mentions a return of True if certain conditions are met (Smith Col 10 Lines 38-40). It would have been obvious to one of ordinary skill in the art to apply Smith to Porter, providing Porter the benefit of having grammar rules so text that have several words can appear in a single quoted string and can be divided into tokens as taught by Smith Col 19 Lines 12-18.

Porter does not mention a transaction file comprising a plurality of terms comprising data descriptive of one or more financial transactions performed by a trading system. However, Tozzoli mentions a trading system that is used for financial transactions (Tozzoli Col 4 Lines 53 through Col 7 Line 65). It would have been obvious

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to one of ordinary skill in the art the apply Tozzoli to Porter, providing Porter the benefit of having a financial trading systems, which would assist a user in trading strategies.

In regard to dependent claim 3, Porter discloses wherein at least one of said plurality of objects includes the object body comprises a fixed text portion. (Porter Col 1 Lines 19-21)

In regard to dependent claim 4, Porter does not mention wherein at least one of said plurality of objects includes the object body comprises a visual image. However, Ferrel mentions wherein an object can be an image (Ferrel Col 7 Lines 60-62).). It would have been obvious to one of ordinary skill in the art the apply Ferrel to Porter, providing Porter the benefit of having an object the is an images for the benefit of having several object to choose from rather than text as taught by Ferrel Col 7 Lines 60-62.

In regard to dependent claim 5, Porter does not mention wherein said at least one instruction includes at least one of said object tags and executing said instruction includes inserting said object body associated with said at least one of said object tags into said document. However, Ferrel mentions the story objects themselves having formatting tags (Ferrel Col 19 Lines 44-51 and Col 31 Lines 7-11 i.e. styles corresponding to tags and inserted into the control). It would have been obvious to one of ordinary skill in the art the apply Ferrel to Porter, providing Porter the benefit of including object tags to identify a portion of the content and displaying the content as taught by Ferrel Col 3 Lines 32-38 and to inserting into the control so the system begins recurring up through node to node wherein it determines that more children exist as taught by Ferrel Col 31 Lines 7-21.

In regard to dependent claim 6, Porter does not mention wherein each of said plurality of grammar lines includes a grammar tag, said instruction includes at least one of said grammar tags and executing said instruction includes testing said condition associated with each of said plurality of grammar lines having said at least one of said grammar tags, and executing said instruction associated with said condition associated with one of said plurality of grammar lines having said at least one of said grammar tags if said condition is true.

However, Smith mentions a set of grammar rules and word lists (Smith Col 16 Lines 33-37). Smith also mentions a return of True if certain conditions are met (Smith Col 10 Lines 38-40). Smith also mentions a Test condition that is performed (Smith Col 10 Lines 41-43). It would have been obvious to one of ordinary skill in the art to apply Smith to Porter, providing Porter the benefit of having grammar rules so text that have several words can appear in a single quoted string and can be divided into tokens and tested as taught by Smith Col 19 Lines 12-18.

In regard to dependent claim 7, Porter does not mention wherein each of said plurality of grammar lines includes a grammar tag and at least two of said plurality of grammar lines have identical grammar tags. However, Smith mentions a tag research hit that is identical (Smith Col 31 Lines 62-67). It would have been obvious to one of ordinary skill in the art to apply Smith to Porter, providing Porter the benefit of identical tags for a different option for research hits for unification as taught by Col 31 Lines 38-67 and Col 32 Lines 1-5.

In regard to dependent claim 8, Porter does not specifically mention wherein said conditions of said at least two of said plurality of grammar lines are mutually exclusive. However, Smith mentions mutually exclusive values (Smith Col 14 Lines 63). It would have been obvious to one of ordinary skill in the art to apply Smith to Porter, providing Porter the benefit of having mutually exclusive values important to the data entry step which involves taking a source document and placing it into an electronic document source as taught by Smith Col 14 Lines 48-67.

In regard to dependent claim 9, Porter discloses said instruction associated with said one of said at least two of said plurality of grammar lines including said default tag is executed. (Porter Abstract compiled and executed)

Porter does not mention wherein one of said at least two of said plurality of grammar lines includes a default tag. However, Ferrel mentions the story objects themselves having formatting tags (Ferrel Col 19 Lines 44-51 and Col 31 Lines 7-11 i.e. styles corresponding to tags and inserted into the control and Col 42 Lines 49 i.e. default). It would have been obvious to one of ordinary skill in the art to apply Ferrel to Porter, providing Porter the benefit of including object tags to identify a portion of the content and displaying the content as taught by Ferrel Col 3 Lines 32-38 and to inserting into the control so the system begins recurring up through node to node wherein it determines that more children exist as taught by Ferrel Col 31 Lines 7-21.

Porter does not mention said condition of said one of said at least two of said plurality of grammar lines is always true or if said conditions of said remaining of said at least two of said plurality of grammar lines are not true. However, Smith mentions a set

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of grammar rules and word lists (Smith Col 16 Lines 33-37). Smith also mentions a return of true or False if certain conditions are met (Smith Col 10 Lines 38-40 and Col 14 Lines 14-15). Smith also mentions a Test condition that is performed (Smith Col 10 Lines 41-43). It would have been obvious to one of ordinary skill in the art the apply Smith to Porter, providing Porter the benefit of having grammar rules so text that have several words can appear in a single quoted string and can be divided into tokens and tested as taught by Smith Col 19 Lines 12-18.

Porter does not specifically mention wherein said conditions of said at least two of said plurality of grammar lines are mutually exclusive. However, Smith mentions mutually exclusive values (Smith Col 14 Lines 63). It would have been obvious to one of ordinary skill in the art the apply Smith to Porter, providing Porter the benefit of having mutually exclusive values important to the data entry step which involves taking a source document and placing it into an electronic document source as taught by Smith Col 14 Lines 48-67.

In regard to dependent claim 10, claim 10 reflects similar subject matter as claimed in claim 5 and is rejected along the same rationale

In regard to dependent claim 11, Porter discloses assembly of the document begins by executing said instruction .(Porter Abstract compiled and executed)

Porter does not mention where the portion being executed is a plurality of grammar lines. However, Smith mentions a set of grammar rules and word lists (Smith Col 16 Lines 33-37). It would have been obvious to one of ordinary skill in the art the apply Smith to Porter, providing Porter the benefit of having grammar rules so text that

have several words can appear in a single quoted string and can be divided into tokens and tested as taught by Smith Col 19 Lines 12-18.

Porter does not mention where the grammar lines includes a <start> grammar tag. However, Ferrel mentions a process that begins with a start state (Ferrel Col 16 Lines 30-32). It would have been obvious to one of ordinary skill in the art the apply Ferrel to Porter, providing Porter the benefit of having a start tag or state so that there is a definite beginning the document publishing process as taught by Ferrel Col 16 Lines 30-37.

In regard to dependent claim 12, Porter discloses wherein the document is assembled when said instruction associated with one of said portion of said plurality of grammar lines is executed. (Porter Abstract compiled and executed)

Porter does not mention where the portion being executed is a plurality of grammar lines. However, Smith mentions a set of grammar rules and word lists (Smith Col 16 Lines 33-37).. It would have been obvious to one of ordinary skill in the art the apply Smith to Porter, providing Porter the benefit of having grammar rules so text that have several words can appear in a single quoted string and can be divided into tokens and tested as taught by Smith Col 19 Lines 12-18.

In regard to independent claim 13, claim 13 in addition to the following reflects similar subject matter as claimed in claim 1 and is rejected along the same rationale. Further, Smith discloses testing said condition of one of said plurality of grammar lines and executing said instruction associated with said condition if said condition is true. (Smith Col 10 Lines 41-43) (Smith Col 10 Lines 41-43). It would have been obvious to

one of ordinary skill in the art the apply Smith to Porter, providing Porter the benefit of having grammar rules so text that have several words can appear in a single quoted string and can be divided into tokens and tested as taught by Smith Col 19 Lines 12-18.

In regard to dependent claim 14, Porter discloses wherein at least one of said plurality of objects includes a fixed text portion.(Porter Col 1 Lines 19-21)

Porter does not mention wherein said at least one instruction includes at least one of said object tags and executing said instruction.. However, Ferrel mentions the story objects themselves having formatting tags (Ferrel Col 19 Lines 44-51 and Col 31 Lines 7-11 i.e. styles corresponding to tags and inserted into the control). It would have been obvious to one of ordinary skill in the art the apply Ferrel to Porter, providing Porter the benefit of including object tags to identify a portion of the content and displaying the content as taught by Ferrel Col 3 Lines 32-38 and to inserting into the control so the system begins recurring up through node to node wherein it determines that more children exist as taught by Ferrel Col 31 Lines 7-21.

Porter does not mention inserting into said document said at least one of said plurality of objects including a fixed text portion associated with said at least one of said object tags. However, Ferrel mentions the story objects themselves having formatting tags (Ferrel Col 19 Lines 44-51 and Col 31 Lines 7-11 i.e. styles corresponding to tags and inserted into the control). It would have been obvious to one of ordinary skill in the art the apply Ferrel to Porter, providing Porter the benefit of including object tags to identify a portion of the content and displaying the content as taught by Ferrel Col 3 Lines 32-38 and to inserting into the control so the system begins recurring up through

node to node wherein it determines that more children exist as taught by Ferrel Col 31 Lines 7-21.

In regard to dependent claim 15, Porter discloses, testing said condition of each of said plurality of grammar lines having said at least one of said grammar tags; and executing said instruction associated with said condition associated with said at least one of said grammar tags if said condition is true.

Porter does not mention wherein each of said plurality of grammar lines includes a grammar tag, said instruction includes at least one of said grammar tags.. However, Ferrel mentions the story objects themselves having formatting tags (Ferrel Col 19 Lines 44-51 and Col 31 Lines 7-11 i.e. styles corresponding to tags and inserted into the control). It would have been obvious to one of ordinary skill in the art the apply Ferrel to Porter, providing Porter the benefit of including object tags to identify a portion of the content and displaying the content as taught by Ferrel Col 3 Lines 32-38 and to inserting into the control so the system begins recurring up through node to node wherein it determines that more children exist as taught by Ferrel Col 31 Lines 7-21.

Smith mentions testing said condition of one of said plurality of grammar lines and executing said instruction associated with said condition if said condition is true (Smith Col 10 Lines 41-43) (Smith Col 10 Lines 41-43). It would have been obvious to one of ordinary skill in the art the apply Smith to Porter, providing Porter the benefit of having grammar rules so text that have several words can appear in a single quoted string and can be divided into tokens and tested as taught by Smith Col 19 Lines 12-18.

In regard to dependent claim 16, claim 16 reflects similar subject matter as claimed in claim 7 and is rejected along the same rationale

In regard to dependent claim 17, claim 17 reflects similar subject matter as claimed in claim 8 and is rejected along the same rationale

In regard to dependent claim 18, Claim 18 in addition to the following reflects similar subject matter claimed in claim 9 and is rejected along the same rationale.

testing said condition of one of said plurality of grammar lines and executing said instruction associated with said condition if said condition is true (Smith Col 10 Lines 41-43) (Smith Col 10 Lines 41-43). It would have been obvious to one of ordinary skill in the art the apply Smith to Porter, providing Porter the benefit of having grammar rules so text that have several words can appear in a single quoted string and can be divided into tokens and tested as taught by Smith Col 19 Lines 12-18.

Porter does not mention default tag if said condition of each of said remaining of said at least two of said plurality of grammar lines is not true. However, Smith mentions a set of grammar rules and word lists (Smith Col 16 Lines 33-37). Smith also mentions a return of true or False if certain conditions are met (Smith Col 10 Lines 38-40 and Col 14 Lines 14-15). Smith also mentions a Test condition that is performed (Smith Col 10 Lines 41-43). It would have been obvious to one of ordinary skill in the art the apply Smith to Porter, providing Porter the benefit of having grammar rules so text that have several words can appear in a single quoted string and can be divided into tokens and tested as taught by Smith Col 19 Lines 12-18.

In regard to dependent claim 19, Porter does not mention where the portion being executed is a plurality of grammar lines. However, Smith mentions a set of grammar rules and word lists (Smith Col 16 Lines 33-37). It would have been obvious to one of ordinary skill in the art to apply Smith to Porter, providing Porter the benefit of having grammar rules so text that have several words can appear in a single quoted string and can be divided into tokens and tested as taught by Smith Col 19 Lines 12-18.

Porter does not mention where the grammar lines includes a <start> grammar tag. However, Ferrel mentions a process that begins with a start state (Ferrel Col 16 Lines 30-32). It would have been obvious to one of ordinary skill in the art to apply Ferrel to Porter, providing Porter the benefit of having a start tag or state so that there is a definite beginning the document publishing process as taught by Ferrel Col 16 Lines 30-37.

Porter does not mention grammar lines with a condition of true. However, Smith mentions a set of grammar rules and word lists (Smith Col 16 Lines 33-37). Smith also mentions a return of True if certain conditions are met (Smith Col 10 Lines 38-40). Smith also mentions a Test condition that is performed (Smith Col 10 Lines 41-43). It would have been obvious to one of ordinary skill in the art to apply Smith to Porter, providing Porter the benefit of having grammar rules so text that have several words can appear in a single quoted string and can be divided into tokens and tested as taught by Smith Col 19 Lines 12-18.

In regard to dependent claim 20, claim 20 reflects similar subject matter as claimed in claim 12 and is rejected along the same rationale

5. Claims 2 and 21 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Porter, Ferrel, Smith, Tozzoli, and in further view of Atkins (US 5875437, filed 15 April 1997).

In regard to dependent claim 2, Porter does not mention wherein at least one of said plurality of terms includes an economic term associated with a financial transaction and said document is a confirmation of said transaction.. However, Atkins mentions a word processor function (which uses words and terms) for a financial transaction for a SmartWallet or SmartPurse (Atkins Col 60 Lines 26-43). Also Atkins mentions a financial function to verify and confirm transactions (Atkins Col 60 Lines 13-16). It would have been obvious to one of ordinary skill in the art to apply Atkins to Porter, providing Porter the benefit of having a word processor application to use economic terms to section functions such as application database functions and financial functions to verify transactions as taught by Atkins Col 60 Lines 12- 17 and 26-43.

In regard to dependent claim 21, claim 21 reflects similar subject matter as claimed in claim 2 and is rejected along the same rationale.

Response to Arguments

6. Applicant's arguments filed 3 January 2006 have been fully considered but they are not persuasive.

First, the examiner thanks the applicant for pointing out the typo with respect to claim 1 (page 10). The applicant is correct in assuming that the citation of "Porter at col.

4, line 53 through col. 7, line 65" was intended to reference the similar portion of Tozzoli. The examiner has corrected this type above.

The applicant argues that Porter neither describes nor suggests the concepts taught by the present invention, "which allow for automatic assembly of easily customizable documents (page 9). Further, it appears that the applicant's main argument with Porter is that, "unlike Porter, the present invention provides an elegant solution that does not require modified source code to be recompiled in order to effect the modification of the document (page 7)." However, the applicant's belief that the present invention provides an elegant solution, while the applicant believes that Porter's solution is not elegant based upon the necessity to recompile is moot. The applicant has not limited the claim by not requiring a recompilation of the source. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Further, the applicant argues that the examiner has not provided motivation to combine Ferrel with Smith. This is because the examiner is not attempting to combine Ferrel with Smith. The examiner attempts to combine Ferrel with Porter, and subsequently combines Smith with the combination of Ferrel and Porter. Further, the examiner has provided motivation of what would have been obvious to one of ordinary skill in the art at the time of the applicant's invention for combining Ferrel with Porter, and subsequently combining Smith with the combination of Ferrel and Porter. The motivation to combine Ferrel with Porter, as found above is: It would have been obvious

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to one of ordinary skill in the art the apply Ferrel to Porter, providing Porter the benefit of including object tags to identify a portion of the content and displaying the content as taught by Ferrel Col 3 Lines 32-38. Further, the motivation to combine Ferrel with Porter is found in Ferrel at column 3, lines 32-38. Also, the motivation to combine Smith with the combination of Ferrel and Porter is: It would have been obvious to one of ordinary skill in the art the apply Smith to Porter, providing Porter the benefit of having grammar rules so text that have several words can appear in a single quoted string and can be divided into tokens as taught by Smith Col 19 Lines 12-18. Similarly, the motivation to combine Smith with the combination of Ferrel and Porter is found in Smith at column 19, lines 12-18.

Further, the applicant's argues that "Atkins does not suggest or describer any system for automatically generating a document descriptive of one or more transactions conducted by a financial trading system (page 10)." Claim 2, is directed toward a plurality of terms including economic terms associated with a financial transaction and the document is a confirmation of the transaction (claim 2, lines 1-2). Atkins discloses a method for improved financial analysis, planning, and management system incorporating a system of electronic exchange including reporting upon asset accounts (column 7, lines 19-30). This includes financial functions to verify and confirm transactions (column 60, lines 26-43).

The applicant argues that Atkins's mention of a word processing function is not sufficient to hold obvious an automated document assembly (page 10). However, the examiner is not relying upon Atkins to disclose an automated document assembly.

Porter in view of Ferrel, in view of Smith, in view of Tozzoli is relied upon to disclose the applicant's document creation system. Atkins is relied upon for claims 2 and 21, not an entire document creation system.

The applicant argues that Tozzoli fails to teach or suggest all of the claimed limitations and has not demonstrated a motivation to modify the references teachings (page 11).

Tozzoli discloses a trading system that is used for financial transactions (column 4, line 53- column 7, line 65). Tozzoli further discloses a purchase document (transaction file) containing terms comprising data descriptive of one or more financial actions performed by a trading system (column 5, lines 30-45: Here, the document includes transaction information). Tozzoli therefore teaches all the claimed limitations. Further, it would have been obvious to one of ordinary skill in the art to apply Tozzoli to Porter, providing Porter the benefit of having a financial trading system, which would assist a user in trading strategies. In addition, it would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Tozzoli with Porter, since it would have allowed a user to filter and generate transaction payment instructions (Tozzoli: column 5, lines 38-45).

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kyle R. Stork whose telephone number is (571) 272-4130. The examiner can normally be reached on Monday-Friday (8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Kyle Stork
Patent Examiner
Art Unit 2178

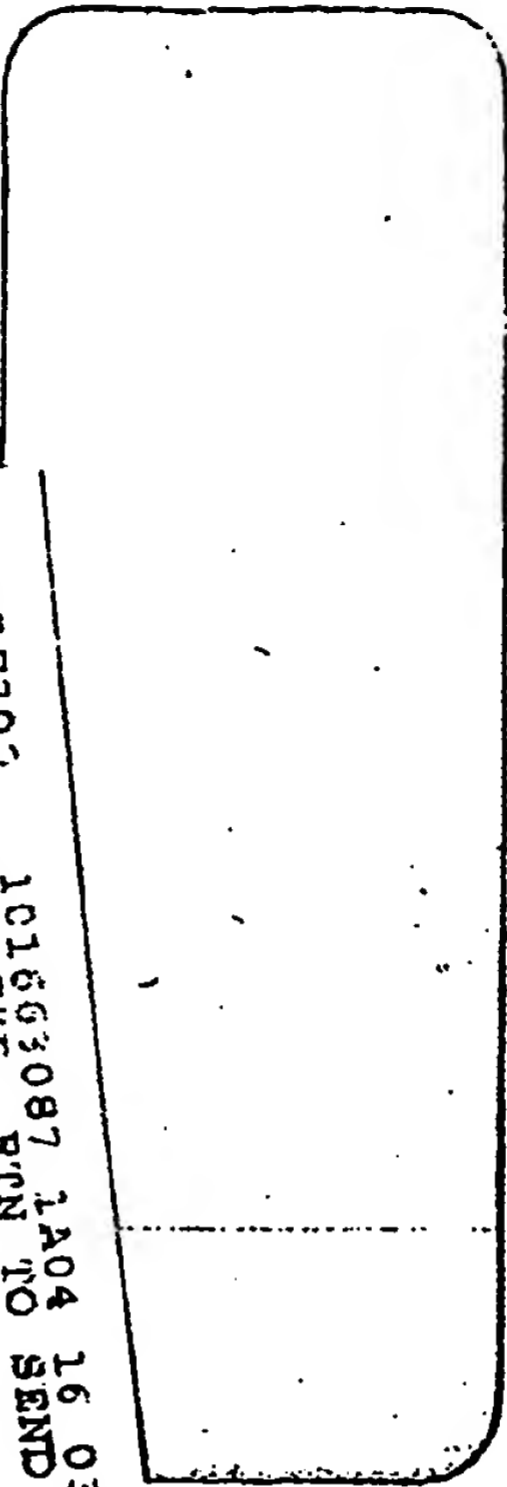
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